

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"METHOD AND APPARATUS FOR AGGREGATE RESOURCE MANAGEMENT OF ACTIVE COMPUTING ENVIRONMENTS"**

the specification of which (check one)

- (X) is attached hereto.  
 ( ) was filed by an authorized person on my behalf on \_\_\_\_\_ as Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I have also identified below any foreign application for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	Priority Claimed (Yes or No)
---------------	----------------	-----------------------------	------------------------------------

No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09765386-011801

Application Serial No.Filing DateStatus

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Coudert Brothers, a firm including J.D. Harriman, Reg. No. 31,967 and Micah Goldsmith, Reg. No. 43,638, and Sun Microsystems, Inc., a corporation, including Kenneth Olsen, Reg. No. 26,493, Timothy J. Crean, Reg. No. 37,116, Joseph T. FitzGerald, Reg. No. 33,881, Robert S. Hauser, Reg. No. 37,847, Alexander E. Silverman, Reg. No. 37,940, Anirma R. Gupta, Reg. No. 38,275, Sean P. Lewis, Reg. No. 42,798, Michael J. Schallop, Reg. No. 44,319, Bernice B. Chen, Reg. No. 42,403, Kenta Suzue, Reg. No. 45,145, Noreen A. Krall, Reg. No. 39,734, Richard J. Lutton, Jr., Reg. 39,756, Monica D. Ward, Reg. No. 40,696, Marc D. Foodman, Reg. No. 34,110, Naren Chaganti, Reg. No. 44,602. Elaine Lee, Reg. No. 41,936, Hugh H. Matsubayashi, Reg. No. 43,779, and Paul D. Sorken, Reg. No. 39,039 with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS, 333 South Hope Street, Suite 2300, Los Angeles, California 90071, Telephone No. (213) 229-2900, Customer No. 23600.

Full name of inventor:

**Brian Keith Schmidt**

Inventor's signature:

Brian K Schmidt

Date:

Jan 16, 2001Residence and Post Office  
Address:247 ANDSBURY AVE, APT D  
MOUNTAIN VIEW, CA 94043

Citizenship:

USA

Address for Correspondence:

COUDERT BROTHERS  
333 South Hope St., Suite 2300  
Los Angeles, CA 90071

"011801" 55886 0976